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**A RESOLUTION AUTHORIZING THE CITY MANAGER PRO TEM TO ENTER INTO A CONSTRUCTION CONTRACT WITH NUTTER CORPORATION FOR THE WYNOOSKI TO RIVERFRONT UTILITIES PROJECT IN THE AMOUNT OF \$910,400.22, AND TO NEGOTIATE AND APPROVE ANY NEEDED CONSTRUCTION CHANGE ORDERS NOT TO EXCEED 15 PERCENT OF THE ORIGINAL CONTRACT AMOUNT**

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**RECITALS:**

1. The Oregon Department of Transportation (ODOT) is finalizing their design to complete Phase 1 of the Newberg-Dundee Bypass Project in the cities of Newberg and Dundee. Phase 1E of the Newberg-Dundee Bypass Project is located between Waterfront Street to the west and Sandoz Road to the east in Newberg.
2. The construction project was advertised for bid in the Daily Journal of Commerce on February 10, 2014. The scope of work includes the installation of approximately 3,000 linear feet of ductile iron pipe from 6 to 24 inch diameter, and approximately 500 linear feet of 36 inch diameter sewer pipe, and related tasks.
3. Four qualified bids were received on February 25, 2014. Nutter Corporation submitted in the lowest responsive bid for \$910,400.22. The engineer's estimate for this construction project is the range of 1.2 to 1.7 million dollars. The successful contractor for this project will receive two assigned material procurement contracts, as authorized by Resolution No. 2014-3111 passed by Council on February 18, 2014.
4. Construction of this utility relocation project will begin in March and end in August, 2014.
5. Due to the compressed construction time schedule, staff is requesting the Council to authorize the City Manager Pro Tem to negotiate and approve any needed construction change orders not to exceed 15 percent of the original contract.


**THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**

1. The city council, acting as contract review board for the city, does hereby authorize the city manager pro tem to enter into a contract with Nutter Corporation for an amount of \$910,400.22.


2. The city council authorizes the city manager pro tem to negotiate and approve any needed construction change orders up to 15 percent of the original contract amount.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: March 18, 2014.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 17<sup>th</sup> day of March, 2014.

  
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Jennifer L. Nelson, Acting City Recorder

**ATTEST** by the Mayor this 20<sup>th</sup> day of March, 2014.

  
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Bob Andrews, Mayor